

Application Fees are non-refundable.

Applicant's should contact the DMV DUI-Interlock Section at 1-800-642-9066 or 304-926-2507 for a review of their driving record before submission of the application.

FREQUENTLY ASKED QUESTIONS ABOUT THE WV ALCOHOL TEST AND LOCK (INTERLOCK) PROGRAM

1. What is an ignition interlock?

It is a small, hand-held, one-piece alcohol sensor, roughly the size and shape of a cordless telephone that weighs a few ounces. The device is "hard wired" into a vehicle's electrical system and requires a breath test before allowing the vehicle to be started.

2. How does it work?

The driver blows into the device and it measures his or her breath alcohol content to determine if it is above an established BrAC point set by the DMV. If alcohol is detected at or above the set point, the unit will not allow the vehicle to start. Once the unit allows the driver to start the vehicle, it will require random rolling retests to ensure the driver is not consuming alcohol while driving.

3. What is a rolling retest?

After a driver starts a vehicle, the unit will require another breath test within a few minutes. If the test is successful, the driver will then be subject to rolling retests at random intervals during the operation of the vehicle. If the driver fails a retest, or declines to submit to one when required, the unit will cause the vehicle's horn to sound intermittently until the vehicle is turned off or the driver successfully takes the retest. The device will NOT shut a vehicle off while it is in operation.

4. How else does the unit monitor the driver?

The unit contains a small computer that records all start attempts, the results of all tests, and the results of all rolling retests. It also records the time of day the vehicle is started and the time of day the vehicle is turned off. Additionally, any attempts to disconnect or tamper with the unit are recorded. All information is recorded and placed on a secure internet website for a Driver Services DUI-Interlock Section representative to review. Violations can result in anything from additional participation time or disqualification from the program. All participants acknowledge what is considered a violation in accordance with the Division Demerit System Policy during their initial training session.

5. How is a person in the interlock program monitored?

The participant appears at one of the service centers throughout the state where a technician downloads the recorded data from the interlock device onto a secure internet website. The monitoring frequency is normally set at 30-60 day intervals. Any combination of 3 violations will automatically set the device into "early recall" to return for service prior to the previously scheduled appointment. If any violations were committed since the previous monitoring the technician immediately contacts a representative at the Driver Services DUI-Interlock Section for review of the violation(s) and possible actions. The vehicle's odometer is also checked for total mileage driven and all connections are checked for tampering.

6. What happens if the participant does not appear as required?

The interlock unit is set to "lock out" after a grace period of 72 hours if the participant fails to appear for monitoring. If this happens, the vehicle will not start and the participant must tow the vehicle to a service center or a technician must be sent to the vehicle to download the unit and reset it. The participant is charged for this extra service. Additionally, the failure to

appear for monitoring is reported to the Driver Services DUI-Interlock Section. Depending on the circumstances and the history of the driver they can be disqualified from the program and returned to a revoked status.

7. What does it cost?

The program was developed to require the DUI offender to pay all costs. There is a \$100.00 application fee, \$50.00 installation fee, and an approximate monthly fee of \$65.00 plus tax.

8. How does a person get into the interlock program?

Potential participants must contact the Driver Services DUI-Interlock Section for review of their driving record for eligibility. All drivers will not qualify for this program. If approved for participation a restricted license is issued and the participant can only operate an interlock equipped vehicle. Only approved drivers can have the device installed. National Interlock and Mountaineer Smart Start are the approved service providers in the state of West Virginia. All providers communicate with the Driver Services DUI-Interlock section on a daily basis to ensure only approved drivers are installed or removed once all requirements have been met.

9. Can other people use the vehicle equipped with an interlock device?

Yes. All drivers of the vehicle are asked to appear with the approved participant at the time of installation to be trained in how to use the device. The participant is responsible for ensuring that any other users of the vehicle comply with all program rules.

10. What if the participant gets someone else to blow into the device to start his car?

This can be done. However, since the unit requires rolling retests, the driver would have to take the person along with them. Experience shows that such behavior is detected rather quickly because of the other patterns of behavior associated with such actions. Additionally, the device requires a specific breath testing pattern that is difficult to teach others especially if the teacher is under the influence. Verified circumvention attempts of any type will lead to program disqualification. Participants can be ordered to have a camera type Interlock device installed that records all start up and running recall events on the device. This type of device has an additional daily use charge that is paid for by the participant.

11. What if the participant has trouble with the unit after normal office hours?

The service provider is on call 24 hours a day 365 days a year and can be reached with a toll-free call. Service Provider technicians will go to the participant at no charge if the interlock unit has caused a problem.

12. How can I get additional information?

Call our Driver Services DUI-Interlock Section @ 1-800-642-9066 or 304-926-2507.

WV ALCOHOL TEST AND LOCK (INTERLOCK) PROGRAM APPLICATION*(Please Call Toll-Free 1-800-642-9066 for assistance)***IN-STATE RESIDENTS WEB VERSION****ATTENTION: THIS APPLICATION IS FOR WEST VIRGINIA RESIDENTS ONLY. IF YOU ARE A NON-RESIDENT AND NEED TO APPLY FOR THE WEST VIRGINIA TEST AND LOCK PROGRAM, PLEASE CALL THE INTERLOCK UNIT AT 304-926-2507.**

The State of West Virginia may issue restricted driving privileges to a driver who has been revoked due to an **alcohol-related** DUI. The driver must apply for, and be accepted into, the Alcohol Test and Lock Program. Once accepted into the Program, the driver must have an approved ignition interlock device installed in their vehicle. Individuals interested in the Alcohol Test and Lock Program should carefully read and complete this application. Applicants should contact the Interlock Section toll-free at 1-800-642-9066 or 304-926-2507 with any questions.

Applicant Information

Full Name	Spouse's Name	Social Security Number	Date of Birth
Physical Address (Must present proof at license issue)		Mailing Address (If different)	Driver's License Number
City		State	Zip Code
Home Phone		Work Phone	

Vehicle Information (Class "A" Passenger Type vehicles only)

Name of Registered Owner(s) or Lessee(s) **If other than Applicant, the Owner's Consent to Installation of Interlock Device on page 4 of this application must be completed.** *If more than one vehicle is owned and/or operated please list on the supplemented insert.*

Year	Make	Model	VIN
Title Number		License Plate Number	

MUST READ AND SIGN. APPLICATION WILL NOT BE PROCESSED WITHOUT SIGNATURES

Title 91CSR5 Section 16.5.i. *Any person required to participate in this program must have an ignition interlock device installed on every vehicle he or she owns or operates.*

I hereby declare that I have read and understand the above Rule. Therefore I understand that withholding any vehicle information is in direct violation of Federal and State Regulations and grounds for immediate removal of driving privileges.

I own more than 1 vehicle.**I understand that I can only operate the WV Interlock Equipped Vehicle****Yes No**

_____ (Initials)

How many weekly engine starts do you estimate with this vehicle? _____**Insurance Information (Actual proof must be presented at device installation)**

Insurance Company	Agent Name
Policy	Policy Expiration Date

This Section for Office Use Only

Processed By		Date	Fee Balance @ EOP	Last DWSR Conviction	Date Mailed
S&T	Need Enrolled Completed Date	Approval Number	Participation Period	Date Eligible	

ELIGIBILITY REQUIREMENTS

In order to be eligible to participate in the Alcohol Test and Lock Program you must meet the following minimum requirements. Additional requirements may be imposed by the DMV:

1. You must be eligible to obtain a West Virginia license.
2. You must be currently revoked by West Virginia and not be appealing the revocation administratively or in Circuit Court.
3. **You must have completed or be enrolled in the Safety and Treatment Program within 60 days after entering the Alcohol Test and Lock Program.**
4. You must not have been convicted of driving while revoked or suspended within the last 6 months.
5. You must own the vehicle(s) to be used in the Alcohol Test and Lock Program **or** have the owner's approval (**see page 4**).
6. You must be at least 18 years old.

PROGRAM LENGTH

You must serve a minimum revocation period before being eligible for the Alcohol Test and Lock Program. Once admitted to the program, you must participate for the minimum period of time defined under WV Code 17C-5A-3a and WV Administrative Regulation 91CSR5 that was in effect on the DUI incident date. **If you are participating for Court Deferment purposes you should contact the DUI-Interlock Unit to ensure you meet all eligibility requirements before entering a plea.** The time requirements are:

Type of DUI	Minimum Revocation Period*	Interlock Participation Period*	Additional Remarks
1 st Offense DUI	15/30/45 days	4 or 9 months	Mandatory Participation for DUI incidents after 6-6-2008 with a BAC of .15 or higher
2 nd or greater Offense DUI	1 year	1 year for each DUI incident (conviction OR revocation)	Mandatory Participation for all 2 nd offense DUI incidents on/after 7-8-2005
1 st Offense Implied Consent DUI	45 days	12 months	Participation Period will be based on the DUI incident date
1 st Offense DUI with Minor	60 days	10 months	Additional Participation for 2 nd offense with Minor on/after 6-6-2008
1 st Offense Under 21 "AMA"	30 days	6 months	Expunged upon successful completion
1 st Offense Knowingly Permitting DUI	15 days	4 months	
1 st Offense Bodily Injury DUI	2 months	1 year	
1 st Offense Misdemeanor Death	6 months/ 1 year	2 years	No Misdemeanor Death after 6-6-2008
1 st Offense Felony Death DUI	1 year	2 years	Additional Participation for 2 nd offense with Death after 6-6-2008

*** Minimum Revocation & Participation periods may be subject to change in the event of new Legislation.**

PROGRAM REQUIREMENTS

Once you are approved for the Alcohol Test and Lock Program:

1. You will receive written notification with an approval number. You must contact the Service Provider for an installation appointment. You must have the interlock device installed within 6 months of date of application for the Alcohol Test and Lock Program.
2. You must be driven to an installation center by a licensed driver.
3. Vehicles must be manufactured after 1980 and may require an inspection to verify vehicle is equipped with OBD I (On Board Diagnostics Generation 1) or newer. Tell the Service Provider the make/model/year of vehicle when making an appointment.
4. You will be required to return to the installation center at least every 30-60 days to have the vehicle monitored. The data will be downloaded from the device and reported to DMV.
5. You will be considered in violation of the Alcohol Test and Lock Program, and subject to removal from the program, for any program violations which include, but are not limited to, the following:
 - Failure to report for device monitoring every 30 days, or as scheduled.
 - Failure to enroll, withdrawal from, or no progress in, the Alcohol Safety and Treatment Program.
 - Notice from any law enforcement officer, Division employee or service provider that indicates operating a vehicle not equipped with an interlock device.
 - Failure to abide by the Service Agreement with Service Provider.
 - Tampering with, bypassing or removing the interlock device or allowing someone to do the same.
 - Attempting to start or operate a vehicle while under the influence of alcohol.
 - Failure to submit and pass retests after starting the vehicle when requested by the interlock device.
 - Failure to use equipped vehicle.
 - Accumulation of Interlock Demerit system points in accordance with DMV policy.

PROGRAM COST

Individuals approved for the Alcohol Test and Lock Program will enter into a Service Agreement with the interlock service provider. The Service Agreement will contain the following costs:

Installation charge	\$50.00	Daily rental and service	\$2.13	De-install charge	\$30.00
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The following charges are **only** assessed for customer violations, errors or requests service:

Missed Appt.	\$35.00	Violation reset	\$50.00	Change of Vehicle	\$50.00
Service Call (hourly)	\$60.00	Service Call (per mile)	\$0.44	NSF Check	\$25.00
Loss Protection (optional)	\$ varies				

Note: Fees may be changed with DMV approval prior to a client entering the Alcohol Test and Lock Program. All fees are subject to state sales tax.

CERTIFICATION

I hereby acknowledge and state that:

1. I have read the Alcohol Test and Lock Program Participant Requirements, as specified under WV Code 17C-5A-3a and WV Administrative Regulation 91CSR5, and agree to those requirements. I understand that my participation in the Program is restrictive, and I am subject to removal from the Program for violating any of the terms and conditions imposed upon me.
2. I understand that it is a violation of the Alcohol Test and Lock Program, as well as other motor vehicle laws, for me to attempt to obtain a driver's license in any other state during my enrollment in the Program. I understand that any recent court convictions not yet received by the DMV may change my Alcohol Test and Lock Program eligibility status.
3. **I must have completed an approved DUI Safety and Treatment Program or, within 60 days of having the interlock installed, be enrolled and actively participating in a DUI Safety and Treatment Program until this requirement is successfully completed.** The DMV must be presented with proof of enrollment, including a copy of fee receipt, or satisfactory completion of your Safety and Treatment Program through one of the approved providers. **Failure to comply with these terms will result in immediate removal from the Alcohol Test and Lock Program.**
4. I must abide by the terms of the Service Agreement with the interlock device Service Provider, **and will contact the DMV 30 days prior to my scheduled removal date** to ensure all Safety and Treatment paperwork is present and all reinstatement fees are paid. I understand that failure to comply with this requirement may extend my participation period.
5. **Lack of use, or non usage of the equipped vehicle is considered a violation of the Program. Failure to provide adequate written explanation will result in Program disqualification.** Removal from the Alcohol Test and Lock Program due to non-compliance or violations of the rules governing the Program including, but not limited to, the conditions listed in this section, shall result in the immediate loss of any restricted driving privileges provided by participation in this Program.

I knowingly and intelligently waive any and all opportunities or rights to obtain an administrative hearing regarding my removal from the Alcohol Test and Lock Program.

I hereby declare under the penalties of perjury that all the information contained herein is true and accurate to the best of my knowledge, information, and belief.

Date of Application	Applicant's Signature
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Once your application is received and approved by the DMV, a notice will be sent which provides contact information for you to arrange an appointment with an interlock service provider. Should your application for the program be declined, the DMV will send you written notification together with an explanation as to why your application was rejected. Upon installing an interlock device in your vehicle, the DMV will send you an authorization letter so you can obtain your restricted license. **You cannot operate your interlock-equipped vehicle until you have received your restricted license. This restricted license can only be used to operate a vehicle in which an approved functioning interlock device has been installed, and then only under the conditions set forth in this application.**

IF THIS VEHICLE IS NOT IN YOUR NAME THIS SECTION MUST BE COMPLETED.

Owner's Consent to Installation of Interlock Device (Must Be Notarized)

I, the undersigned, do hereby swear or affirm that:

1. I am the registered owner or lessee of the vehicle(s) described on page 1 and Supplement A of this application.
2. I agree to the use of the vehicle(s) by the Applicant listed on page 1 of this application and/or Supplement A for their participation in the Alcohol Test and Lock Program.
3. I agree to the provisions of the Alcohol Test and Lock Program with the Division of Motor Vehicles and its authorized service provider.
4. In the event that the applicant leaves the Alcohol Test and Lock Program, I will bring the vehicle(s) to the service provider for the removal of the interlock device within 5 days of the applicant being terminated from the Alcohol Test and Lock Program.

Registered Owner Signature		Registered Owner Name (Printed)	
Street Address		City	State
Relationship to Applicant		Zip Code	
Telephone Number			

This vehicle is to be used for _____
Applicant's Name (Printed) **License Number** **DMV File Number**

Notary: State of _____ County of _____

Sworn and subscribed before me on this _____ day of _____, 20_____

Notary Public Signature	Notary Public Name (Printed)
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(Notary Seal)

My commission expires: _____

Return this application together with a check or money order Made Payable to the Division of Motor Vehicles in the amount of \$100.00 to:

Division of Motor Vehicles
PO BOX 17060
Charleston, West Virginia 25317

The Regional DMV's cannot process your application OR accept reinstatement fees.
Mail your application to the DMV address above.

THE \$100.00 PROCESSING FEE IS NON-REFUNDABLE.

(Applications will NOT be processed without \$100 fee, initial AND signature acknowledgements)

West Virginia Alcohol Test and Lock (Interlock) Program Violation Demerit System

As of January 1, 2005, a new policy has been instituted concerning the assessment and penalty for verified violations of the West Virginia Interlock Program.

All participants of the WV Interlock Program are governed by the following demerit system. This demerit system has been established to formalize the Division of Motor Vehicle's policy regarding violations occurring during participation of the Interlock Program. Demerit accumulation may cause an extension of the program participation and/or disqualification. For example, participants of the Interlock Program that blow a High BrAC upon initial start up of his/her vehicle may be assessed a \$50 fee by the servicing Interlock provider. Upon verification of this violation by the Division of Motor Vehicles, a demerit assessment, program extension and /or disqualification will be administered in accordance with this policy. The Division shall monitor for program compliance every thirty days from the date of installation. All violations occurring within a monitoring period will be reviewed and the violation causing the greatest demerit value will be assessed.

Demerits will be assigned as follows:

2 Demerit Violations

BrAC reading of .025 to .049

3 Demerit Violations

BrAC reading of .050 to .079

Running Retest Violations

3 missed appointment charges

Failure to enroll in Safety and Treatment within 60 days

4 Demerit Violations

BrAC reading of .080 or higher*

Start up Violation

Penalty time will be assessed as follows:

Acquiring 3-5 Demerits will add 2 months to participant's program length

Acquiring 6-8 Demerits will add 4 months to participant's program length

Acquiring 9-11 Demerits will add 6 months to participant's program length

Any participant who accumulates 12 or more demerits in a 12 month period will be removed from the program

Violations requiring automatic removal

- *Tampering with or bypassing the Interlock system*
- *Driving an unequipped vehicle*
- *Any arrest for driving while under the influence of any intoxicant or drug*
- *Continued failure to enroll in the DUI Safety and Treatment Program after demerits have been assessed for the initial failure*
- *Failure to participate and/or successfully complete the DUI Safety and Treatment Program*
- *Any evidence of intentional circumvention of Interlock system or rules*

Participants who are originally required to be on the program for more than 24 months are eligible for a reduction in demerits. If a driver has zero demerits in 12 consecutive months, he or she will have 6 demerits removed from their record. Any extension of participation length added to the driver as a penalty due to an accumulation of demerits will stay in effect, and ONLY the demerits will be removed. Participants are not eligible for demerit reduction if no demerits have been accrued.

I hereby declare that I understand the West Virginia Alcohol Test and Lock Violation Demerit System. I understand that if I am removed from the program before I complete my contractual participation, I must serve the remainder of the original license revocation period. Participation time served on the Interlock program shall not count towards fulfilling the requirements of the original revocation period.

No Participant will be removed with recorded violations during the last 60 days of scheduled participation and shall be assessed additional penalty time up to 60 days or until final download is violation free.

DATE	APPLICANT'S SIGNATURE	DRIVER'S LICENSE NUMBER

* Any BrAC reading of .08 or higher will result in a letter being sent to the Safety and Treatment Facility (if applicable) where he/she is currently enrolled. Such violations may result in additional time in the Safety and Treatment program and/or removal.